



U.S. Department of Justice

1186074 - R8 SDMS

Environment and Natural Resources Division

BSG:RRH
90-5-1-1-06498

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March 25, 2002

Kevin M. Ward, Esq.
Harding Shultz & Downs
Wells Fargo Center
1700 Lincoln, Suite 1800
Denver, CO 80203-4518

Re: United States and the State of Colorado v. Rico Development Corp., et al.
Civ. No. 99-M-1386

Dear Kevin:

Sheldon Muller has asked me to respond to your letter of February 13, 2002, seeking further information regarding Plaintiffs' Joint Responses to the Interrogatories and Document Production Requests that you submitted on behalf of the Estate of Virginia Sell. I understand that a number of the questions posed by your letter have already been addressed by the State, and are not repeated here.

First, you request that Plaintiffs provide a privilege log listing all of the documents withheld from production. Enclosed with this letter as Enclosure No.1 are two privilege logs, one prepared by the United States and one prepared by the State of Colorado.

In paragraph No. 5, you ask when the United States will supplement its answer to Interrogatory No. 14. Please be advised that as of the date of this letter, the United States Forest Service has not provided any additional information about their ownership interests in the area. I will continue to see whether further information is available.

In paragraph No. 6, you ask when the United States intends to finalize the draft Potentially Responsible Party search performed in this case. The United States has no plans to finalize this document. Although we believe that the draft PRP report could be legitimately withheld as work product, and without waiving any privileges, I am including a copy of this report as Enclosure No. 2 to this letter.

In paragraph No. 9, you note that certain documents were withheld during the Rule 26 disclosure process. Please be advised that all privileged documents have been identified on the enclosed privilege log. In addition, I am including as Enclosure No. 3, various non-privileged

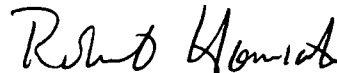
documents that I identified in going through the documents to respond to your letter. I know that at least some of these documents were not produced originally pending further privilege review. I have reviewed these documents and produced all non-privileged documents and included the privileged documents on the enclosed log. I am also producing additional documents that may or may not have been provided previously during the Rule 26 process.

In paragraph No. 10, you asked whether there are any documents in the folders identified as Categories 14 and 23. As we discussed by phone, Category 14 is the administrative record in the case. I have enclosed a copy of the administrative record, with a copy of the index, as Enclosure No. 4 to this letter. I am also enclosing a copy of a document that is part of EPA's Site File and a copy of the index to that Site File. You may obtain any or all non-privileged documents from the Site File by contacting EPA. Other than the document provided herein, I do not have any of the Site File documents in my possession. With respect to Category 23, our records indicate that this category was composed of State correspondence to and from RDC regarding cement plant operations at the site. As I indicated in our telephone discussion, to the best of my knowledge, all of these documents were produced in our joint responses.

Finally, you asked about the videotape that was provided to you. Although I have not personally viewed the tape, I am told that it approximately three minutes long and that it begins and ends abruptly. If you would like to view the version of the tape that we have to satisfy yourself that you have an accurate copy, please contact me and I will arrange for a viewing.

Please call me if you have any questions.

Sincerely,



Robert R. Homiak
Senior Trial Attorney

cc: Annette Quill (w/o Enclosures)
Sheldon Muller (w/out Enclosures)

Enclosure 1

United States & State of Colorado v. Rico Development Corporation, et al.

United States' Privilege Log

Priv. Claim No.	Beg. Bates No.	End Bates No.	Doc Date	Author/Affil.	Addressee/Affil.	Copyee/Affil.	Privilege Type	Subject Matter Description
001	EPAM 0074	EPAM 0075	05/27/1994	Kathleen Kalamen/WQCD	Amelia Whiting/Colo. AG	Melanie Pallman/EPA; Pat Nelson; Bob Shukle; Dave Holm; Jim Horn	AC	Memo seeks legal advice from attorney in Colorado AG's office.
002	EPAM 0002	EPAM 0010	07/21/1998	Annette Quill/Colo. AG	Dave Akers/WQCD; Carla Lenkey/WQCD; Tony Trumbly/Colo. AG; Elyana Sutin/EPA		AC; WP	Memo prepared by state attorney provides legal analysis re: status of property ownership. Additional copy at EPAM 0090-0097.
003	EPAM 0001	EPAM 0001	07/22/1998	Annette Quill/Colo. AG	Elyana Sutin/EPA		WP	Memo regarding information relevant to Rico Development Corporation.
004	EPAM 0540	EPAM 0671	Undated	Elyana Sutin/EPA; Melanie Pallman/EPA			AC; WP	Proposed litigation report against Rico Properties & Rico Renaissance. Additional subset of pages from litigation report, EPAM 0370-0372.
005	EPAM 0580	EPAM 0610	Undated	Elyana Sutin/EPA; Melanie Pallman/EPA			AC; WP	Proposed litigation report against Rico Development Corporation.

Priv. Claim No.	Beg. Bates No.	End Bates No.	Doc Date	Author/Affil.	Addressee/Affil.	Copyee/Affil.	Privilege Type	Subject Matter Description
006	EPAM 0510	EPAM 0516	09/30/1998	Carol Rushin/EPA	Lois Schiffer/DOJ	Steve Herman; Brian Maas/OECA; Bob Homiak/DOJ; Henry Solano/USAO	AC; WP	Litigation referrals from EPA to DOJ re: Rico Properties & Rico Renaissance and Rico Development Corporation. Additional copy of Rico Properties & Rico Renaissance referral, EPAM 0578-0579.
007	EPAM 0462	EPAM 0466	Undated	Elyana Sutin/EPA			WP	Attorney notes listing options on how to deal with Rico including recommended options and listing of assignments.
008	EPAM 0460	EPAM 0460	08/16/1998	Elyana Sutin/EPA	Carol Rushin/EPA	Melanie Pallman/EPA; Michael Risner/EPA; Connally Mears/EPA	AC; WP	Email from agency attorney providing legal information and status update.
009	EPAM 0450	EPAM 0450	02/23/1999	Annette Quill/Colo. AG	Lee Gelman/DOJ		WP	Memo regarding information relevant to Rico Development Corporation.
010	EPAM 0451	EPAM 0453	Undated	Elyana Sutin/EPA			WP	Attorney comments on draft NOV letter to Rico Development Corporation.
011	EPAM 0539	EPAM 0539	Undated	Unknown/ Presumably Melanie Pallman/EPA	Elyana Sutin/EPA		AC	Note to EPA attorney communicating information from State re: filing of case.
012	EPAM 0478	EPAM 0508	09/28/1998	Elyana Sutin/EPA; Melanie Pallman/EPA			AC; WP	Proposed litigation report against Rico Development Corporation.
013	EPA1 0093	EPA1 0093	Undated	Elyana Sutin/EPA			WP	Page from litigation report prepared by EPA attorney.

Priv. Claim No.	Beg. Bates No.	End Bates No.	Doc Date	Author/Affil.	Addressee/Affil.	Copyee/Affil.	Privilege Type	Subject Matter Description
014	EPA1 0076	EPA1 0076	10/07/1999	Elyana Sutin/EPA			WP	Attorney notes of docket review meeting with DOJ re: RDC case.
015	Various (EPA1)		Various	Elyana Sutin/EPA			WP	Emails by EPA attorney to various EPA and DOJ personnel re: analysis of RDC case.
016	EPA1 0027	EPA1 0028	05/16/2000	Michael Risner/EPA	Eric Schaeffer, Director, Office of Regulatory Enforcement/EPA HQ		WP	Memo by EPA attorney re: litigation support request for RDC as well as other cases.
017	Various (EPA1)		Various	Sheldon Muller/EPA			WP	EPA attorney's emails providing instruction to various EPA employees and legal analysis related to RDC case.
018	Various (EPA1)		Various	Monica Heimdal/EPA			WP	Notes of various meetings re: RDC issues contain attorney's mental impressions and impressions of other attorneys including Sheldon Muller.
019	EPA1 0002	EPA1 0002	10/24/2000	Sheldon Muller/EPA	Monica Heimdal/EPA; Lee Hanley/EPA; James Hanley/EPA; Melanie Pallman/EPA	Bob Homiak/DOJ	AC; WP	Email by agency attorney providing instructions to EPA employees to produce documents for review.
020	None		09/30/1998	Carol Rushin/EPA	Lois Schiffer/DOJ		AC; WP	Letter attaches litigation report prepared by EPA attorney (Elyana Sutin) requesting DOJ to file case against RDC.
021	None		05/18/2000	Sheldon Muller/EPA	Joel Gross, Chief, EES/DOJ		WP	Memo prepared by attorney seeking DOJ management's approval of amended complaint against RDC.

Priv. Claim No.	Beg. Bates No.	End Bates No.	Doc Date	Author/Affil.	Addressee/Affil.	Copyee/Affil.	Privilege Type	Subject Matter Description
022	None		06/24/1999	Lee Gelman/DOJ	Lois Schiffer, A.A.G./DOJ		WP	Memo prepared by DOJ attorney providing legal analysis of RDC case and seeks approval for filing of complaint.
023	None		04/21/2000	Corrine Christen/DOJ	Bob Homiak/DOJ		WP	Email providing summary of conversation with Lee Gelman re: legal analysis of RDC case.
024	None		05/12/2000	Corrine Christen/DOJ			WP	Memo provides summary of interview with potential witness conducted at request of Sheldon Muller.
025	None		06/26/2001	Chiara Trabucchi & Joan Meyer/Industrial Economics	Sheldon Muller/EPA	Tracy Gipson/EPA HQ Atty	WP	Memo prepared at the request of EPA attorney re: corporate financial information for RDC.
026	Various (None & EPAM)		09/25/1998	Melanie Pallman/EPA			WP	Computer printouts re: civil penalty calculation performed for settlement purposes prepared at the request of legal counsel.
027	None		Various	Lee Gelman/DOJ	Marge Gallegos/DOJ		WP	Emails from Lee Gelman to Marge Gallegos giving legal assignments and requesting information related to the RDC case (including responses from Marge Gallegos)
028	None		Various	Misc.	Misc.		WP	Various briefing memos prepared by various DOJ attorneys on cases other than Rico that were collected by Lee Gelman to assist in his preparation of briefing memo for RDC case.
029	None		Various	Lee Gelman/DOJ			AC; WP	Lee Gelman's notes of various meetings with EPA personnel and state personnel, including Annette Quill and Tony Trumbly.
030	None		Undated	Lee Gelman/DOJ			WP	Lee Gelman's notes re: legal theories supporting violations.
031	EPA1 0078	EPA1 0078	Undated				PV	Redactions of personal home numbers. Redacted document to be released.

Priv. Claim No.	Beg. Bates No.	End Bates No.	Doc Date	Author/Affil.	Addressee/Affil.	Copyee/Affil.	Privilege Type	Subject Matter Description
032	EPA1 0001	EPA1 0001	Undated				PV	Redactions of personal home numbers. Redacted document to be released.
033	EPAM 0076	EPAM 0076	03/01/1995	Kathleen Sullivan/CDPHE	Amelia Whiting/Colo. AG	Pat Nelson; Bob Shukle; Dave Holm; Jim Horn	AC	Memo seeks legal advice from attorney in Colorado AG's Office.
034	EPAM 0073	EPAM 0073	02/12/1999	Gregory Brand/WQCD	Annette Quill/Colo. AG	Carla Lenky; David Akers; Richard Bowman/WQCD	AC	Memo seek legal advice from attorney in Colorado AG's Office.
035	None	None	Undated	Elyana Sutin/EPA	Misc.		WP	This is a write-up of case against RDC prepared by Elyana Sutin as part of a periodic report prepared by Region 8 for distribution to EPA-HQ Enforcement Office.
036	None	None	12/10/1999	Monica Heimdal/EPA			WP	Litigation strategy meeting.
037	EPA1 0071	EPA1 0072	12/02/1999	Monica Heimdal/EPA			DP	Notes of meeting between state and EPA Technical people discussing ARCO's cleanup actions at the site.
038	EPA1 0039	EPA1 0039	04/10/2000	Monica Heimdal/EPA			DP	Review and comments on draft report concerning treatment options at Rico.
039	None	None	Undated	Unknown - perhaps Barry Levene/EPA	Jim Hanley/EPA		DP	These are notes prepared to analyze various options for addressing continuing problems at the Rico Mine. Includes options re: enforcement actions.
040	EPA1 0007	EPA1 0008	10/04/2000	Monica Heimdal/EPA			DP	Notes of Monica Heimdal about a discussion she had with Jim Hanley to discuss various treatment and cleanup options at Rico.

DOCUMENT DESCRIPTION

DATE: 12/5/00

TITLE: Rico Argentine/Rico Ponds [Summary of Wayne Webster's financial condition]

AUTHOR: Joan Meyer/Industrial Economics, Inc.

ADDRESSEE: Sheldon Muller/EPA

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared by consultant for EPA attorney in anticipation of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 2/7/01

TITLE: Facsimile Cover [no attachments]

AUTHOR: Sheldon Muller/EPA

ADDRESSEE: Joan Meyer/Industrial Economics, Inc.

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Sent in anticipation of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 2/15/01

TITLE: Rico Argentine/Rico Ponds, SSID# 08BU [Summary of Virginia Sell's financial condition]

AUTHOR: Joan Meyer/Industrial Economics, Inc.

ADDRESSEE: Sheldon Muller/EPA

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared by consultant for EPA attorney in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/29/01

TITLE: Rico Argentine/Rico Ponds [updated personal balance sheet for Wayne Webster]

AUTHOR: Joan [Meyer]/Industrial Economics, Inc.

ADDRESSEE: Sheldon Muller/EPA

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared by consultant for EPA attorney in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 7/21/98

TITLE: Rico; Status of property ownership

AUTHOR: Annette Quill/OAG

ADDRESSEE: Dave Akers/WQCD, Carla Lenkey/WQCD, Tony Trumbly/OAG, Elyana Sutin/EPA

CCs:

PRIVILEGE: Attorney Client Communication

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/17/97

TITLE: Rico Properties Limited Liability Company and Rico Development Corporation

AUTHOR: Becky Connors/OAG

ADDRESSEE: Tony Trumbly/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

NO. OF PAGES:

DOCUMENT DESCRIPTION

DATE: [6/98]

TITLE: Rico Chronology [with handwritten notes]

AUTHOR: OAG

ADDRESSEE:

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Draft chronology prepared in anticipation of litigation with attached handwritten document discussing chronology

REDACTED:

DOCUMENT DESCRIPTION

DATE: [1998]

TITLE: Summary of Individuals Involved with the Rico Entities

AUTHOR: OAG

ADDRESSEE:

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in anticipation of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/21/00

TITLE: Rico property ownership

AUTHOR: Pat Norris/OAG

ADDRESSEE: Rico Background File

CCs: Quill, Trumbly

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation [Correction Warranty Deed attached]

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/21/00

TITLE: Rico Renaissance, Rico Properties, other Rico companies and Stanley A. Foster

AUTHOR: Pat Norris/OAG

ADDRESSEE: Tony Trumbly and Annette Quill/OAG

CCs: Rico file

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/19/00 updated 9/20/00

TITLE: Special districts

AUTHOR: Pat Norris/OAG

ADDRESSEE: Tony Trumbly and Annette Quill/OAG

CCs: Shpall, Rico file

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/19/00

TITLE: Property at Rico Mine

AUTHOR: Pat Norris/OAG

ADDRESSEE: Rico File

CCs: Quill, Trumbly

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/18/00

TITLE: Entry of default v. default judgment

AUTHOR: Pat Norris/OAG

ADDRESSEE: Tony Trumbly and Annette Quill/OAG

CCs: Shpall, Rico file

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/13/00

TITLE: Property at Rico Mine

AUTHOR: Pat Norris/OAG

ADDRESSEE: Rico File

CCs: Quill, Trumbly

PRIVILEGE: Attorney Work Product

DESCRIPTION: Prepared in context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 7/19/99

TITLE: Joint complaint with DOJ-Reply

AUTHOR: Michael McLachlan/OAG

ADDRESSEE: Annette Quill/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: E-mail regarding draft complaint

REDACTED:

DOCUMENT DESCRIPTION

DATE: 5/26/99

TITLE: Westlaw/RDC

AUTHOR: Tony Trumbly/OAG

ADDRESSEE: Annette Quill/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION: E-mail from one attorney to another in anticipation of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 2/12/99

TITLE: Rico Development Corporation - St. Louis Mine and Mill Site CDPS Permit #CO-0029793 Dolores County, Colorado

AUTHOR: Gregory N. Grand/CDPHE

ADDRESSEE: Annette Quill/OAG

CCs: Lenkey, Akers, Bowman

PRIVILEGE: Attorney Client Communication

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/16/97

TITLE: Inspection of site and wastewater facilities Rico Development Corporation - St. Louis Tunnel Mine and Mill Site CDPS Permit Number CO-0029793, Dolores County, Colorado

AUTHOR: Gregory N. Brand/CDPHE

ADDRESSEE: David Akers and Carla Lenkey/CDPHE

CCs: Pauls, Hegeman, Bowman

PRIVILEGE: Deliberative process privilege

DESCRIPTION: Memo from employee to decision-maker.

REDACTED: Redacted copy available.

DOCUMENT DESCRIPTION

DATE: 10/21/96

TITLE: Effect of company's status on a person's ability to sue the company

AUTHOR: Becky Connors/OAG

ADDRESSEE: Karen Kishbaugh/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/16/96

TITLE: Rico Development Corporation; Rico Properties Limited Liability Company

AUTHOR: Becky Connors/OAG

ADDRESSEE: Karen Kishbaugh and Tony Trumbly/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 3/8/95

TITLE: Rico Development Corporation St. Louis Tunnel Mine and Mill Request for Legal Assistance

AUTHOR: Mely Whiting/OAG

ADDRESSEE: Pat Nelson and Kathy Sullivan/CDPHE

CCs:

PRIVILEGE: Attorney Client Communication

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 3/1/95

TITLE: Rico Development Corporation - St. Louis Tunnel Mine & Mill CDPS Permit No. CO-0029793 Dolores County, Colorado

AUTHOR: Kathleen Sullivan through Pat Nelson/CDPHE

ADDRESSEE: Amelia Whiting/OAG

CCs: Nelson, Shukle, Holm, Horn

PRIVILEGE: Attorney Client Communication

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/5/94

TITLE: St. Louis Tunnel Mine & Mill

AUTHOR: Lynne Weitzel, [Intern/OAG]

ADDRESSEE: Mely Whiting/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/28//94

TITLE: St. Louis Tunnel Mine & Mill

AUTHOR: Lynne Weitzel, [Intern/OAG]

ADDRESSEE: Mely Whiting/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 9/22/94

TITLE: Research Assignment

AUTHOR: Mely Whiting/OAG

ADDRESSEE: Lynn Whitesole [Lynne Weitzel, Intern/OAG]

CCs:

PRIVILEGE: Attorney Work Product, Attorney Client Communication

DESCRIPTION: With attached note from Pat Nelson/CDPHE to Mely [Whiting]/OAG and copy of first page of CDPS Permit Number CO-0029793, Dolores County, Colorado, and Location Map of St. Louis Pond System

REDACTED:

DOCUMENT DESCRIPTION

DATE: 5/27/94

TITLE: Rico Development Corporation - St. Louis Tunnel Mine & Mill CDPS Permit No. CO-0029793 Dolores County, Colorado

AUTHOR: Kathleen Kalamen through Pat Nelson/CDPHE

ADDRESSEE: Amelia Whiting/OAG

CCs: Pallman, Nelson, Shukle, Holm, Horn/CDPHE

PRIVILEGE: Attorney Client Communication

DESCRIPTION: Memo from client to attorney discussing options for compliance

REDACTED:

DOCUMENT DESCRIPTION

DATE: No date

TITLE: Rico Development Corporation Violations

AUTHOR: Susie Germany, [Intern/OAG]

ADDRESSEE: Karen Kishbaugh/OAG

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 1997 - 2001

TITLE: Handwritten notes

AUTHOR: Tony Trumbly/OAG

ADDRESSEE:

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 1996

TITLE: Handwritten notes

AUTHOR: Karen Kishbaugh/OAG

ADDRESSEE:

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: 1999 - 2000

TITLE: Handwritten notes

AUTHOR: Annette Quill/OAG

ADDRESSEE:

CCs:

PRIVILEGE: Attorney Work Product

DESCRIPTION:

REDACTED:

DOCUMENT DESCRIPTION

DATE: Not dated

TITLE: Civil Penalty Assessment [and handwritten notes]

AUTHOR: [Carla Lenkey/CDPHE]

ADDRESSEE: [OAG]

CCs:

PRIVILEGE CLAIM: Attorney Work Product

DESCRIPTION: Performed at the request of attorney general's office in the context of litigation

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/31/00

TITLE: Penalty Calculation

AUTHOR: Annette Quill/OAG

ADDRESSEE: Sheldon Muller/EPA

CCs:

PRIVILEGE CLAIM: Attorney Work Product, Joint Defense (Common Interest)

DESCRIPTION: E-mail containing calculations performed in the context of litigation communicated to co-plaintiff

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/30/84

TITLE: Variance Request Anaconda Mineral CO-0029793, Dolores County

AUTHOR: Don Simpson through Bob Shukle/CDPHE

ADDRESSEE: Jon Scherschligt/CDPHE

CCs: Kassen, Schuyler

PRIVILEGE CLAIM: Deliberative Process

DESCRIPTION: Recommendations/options for superior to review

REDACTED:

DOCUMENT DESCRIPTION

DATE: 1/23/01

TITLE: Rico Devel. Co.

AUTHOR: Tony Trumbly/OAG

ADDRESSEE: Annette Quill/OAG, Carla Lenkey/CDPHE

CCs:

PRIVILEGE CLAIM: Attorney Client Communication

DESCRIPTION: E-mail from attorney to client regarding case strategy

REDACTED:

DOCUMENT DESCRIPTION

DATE: 10/11/01

TITLE: Rico Devel. Co. - settlement conference

AUTHOR: Tony Trumbly/OAG

ADDRESSEE: Annette Quill/OAG, Carla Lenkey/CDPHE

CCs:

PRIVILEGE CLAIM: Attorney Client Communication

DESCRIPTION: E-mail from attorney to client containing attorney's mental impressions on settlement conference

REDACTED:

DOCUMENT DESCRIPTION

DATE: 3/1/95

TITLE: Rico Development Corp. - St. Louis Tunnel Mine and Mill

AUTHOR: Kathleen Kalamen through Pat Nelson/CDPHE

ADDRESSEE: Amelia Whiting/OAG

CCs:

PRIVILEGE CLAIM: Attorney Client Communication

DESCRIPTION: Memo from client to attorney discussing enforcement alternatives

REDACTED:

DOCUMENT DESCRIPTION

DATE: [2001]

TITLE: [Comments on the draft water quality assessment]

AUTHOR: Tony Trumbly/OAG

ADDRESSEE: Annette Quill/OAG

CCs:

PRIVILEGE CLAIM: Attorney Client Communication

DESCRIPTION: Informal memo given to Susan Nachtrieb/CDPHE

REDACTED:

DOCUMENT DESCRIPTION

DATE: [2001]

TITLE: [Comments on the draft water quality assessment]

AUTHOR: Regina Meehan/FABL Environmental Regulatory Specialists, Inc.

ADDRESSEE: Susan Nachtrieb/CDPHE

CCs:

PRIVILEGE CLAIM: Deliberative Process Privilege

DESCRIPTION: Memo from CDPHE contractor to CDPHE with recommendations in light of finalized Anti-Degradation Guidance

REDACTED:

DOCUMENT DESCRIPTION

DATE: [2001]

TITLE: [Comments and recommendations on the draft water quality assessment]

AUTHOR: Susan McIntyre/CDPHE

ADDRESSEE: Susan Nachtrieb/CDPHE

CCs:

PRIVILEGE CLAIM: Deliberative Process Privilege

DESCRIPTION: Recommendations/options for superior to review

REDACTED:

AG ALPHA:

HL WQ IBANW

AG File:

A:\priv.lst.doc